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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
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11 BRIAN EDWARDS,

12 Petitioner,

13 v.

14 LARRY SMALL, Warden,

15 Respondent.

Civil No. 10cv0918 JM (JMA)

**ORDER GRANTING APPLICATION
TO PROCEED IN FORMA PAUPERIS**

16 Petitioner, a state prisoner proceeding pro se, has submitted a Petition for Writ of Habeas
17 Corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis.
18 Petitioner has \$0.00 on account at the California correctional institution in which he is presently
19 confined. Petitioner cannot afford the \$5.00 filing fee. Thus, the Court **GRANTS** Petitioner's
20 application to proceed in forma pauperis, and allows Petitioner to prosecute the above-referenced
21 action as a poor person without being required to prepay fees or costs and without being required
22 to post security. The Clerk of the Court shall file the Petition for Writ of Habeas Corpus without
23 prepayment of the filing fee.

24 **IT IS SO ORDERED.**

25 DATED: May 5, 2010

26 
27 Hon. Jeffrey T. Miller
28 United States District Judge